

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Revision of the Commission's Rules)	CC Docket No. 94-102
to Ensure Compatibility with Enhanced)	
911 Emergency Calling Systems)	
)	
Missouri RSA No. 7 Limited Partnership)	DA 98-2631
dba Mid-Missouri Cellular)	DA 01-2459
Petition for Limited Waiver of Section)	
20.18(g) of the Commission's Rules)	

To: Wireless Telecommunications Bureau

**Amendment to Petition for Waiver
and Supplemental E911 Phase II Report
of Mid-Missouri Cellular**

Missouri RSA No. 7 Limited Partnership dba Mid-Missouri Cellular ("Mid-Missouri"), by its attorneys and pursuant to Section 20.18(i) of the rules and regulations of the Federal Communications Commission ("FCC" or "Commission"),¹ and the Commission's recent public notices in the above-captioned proceeding,² hereby submits an amendment to its Petition for Waiver in the above-captioned proceeding, and a supplement to its E911 Phase II Report.

¹47 C.F.R. §20.18(i).

²"Commission Establishes Schedule for E911 Phase II Requests by Small and Mid-Sized Wireless Carriers, CC Docket No. 94-102," *Public Notice*, FCC 01-302, rel. Oct. 12, 2001; and "Wireless Telecommunications Bureau Provides Guidance on Filings By Small and Mid-Sized Carriers Seeking Relief From Wireless E911 Phase II Automatic Location Identification Rules, CC Docket No. 94-102," *Public Notice*, DA 01-2459, rel. Oct. 19, 2001. ("*October 19 Public Notice*")

In its November 9, 2000 Report, Mid-Missouri stated its intent to begin selling ALI-capable handsets on October 1, 2001 and to begin providing handset information to public safety answering points (“PSAPs”) by December 31, 2001. In a Petition for Limited Waiver of Section 20.18(g) of the Commission’s Rules, 47 C.F.R. §20.18(g), filed September 20, 2001 (“*September 20 Petition*”), Mid-Missouri requested (1) an extension of time up to and including July 31, 2002 in which to begin selling Phase II-compliant handsets and to complete corresponding upgrades to its cellular switch; and (2) approval of the following revised deadlines for implementing Phase II-compliant handset activations: 25% of new activations by October 31, 2002; 50% of new activations by April 30, 2003, 100% of new activations by December 31, 2003; and 95% of embedded base by December 31, 2005. However, because Automatic Location Identification (“ALI”)-capable TDMA/analog handsets are not yet available for large, nationwide carriers, Mid-Missouri does not expect to be able to obtain ALI-capable handsets in time to meet its originally proposed deadline; Mid-Missouri does not expect to be capable of selling and activating handsets prior to December 31, 2002. Accordingly, Mid-Missouri has developed the following revised implementation schedule:

December 31, 2002:	begin selling and activating ALI-capable handsets.
March 31, 2003	25 percent of activated handsets are ALI-capable.
October 31, 2003	50 percent of activated handsets are ALI-capable.
April 30, 2004	100 percent of activated handsets are ALI-capable
December 31, 2006	95 percent penetration of ALI-capable handsets among subscribers.

Further, if such equipment becomes commercially available earlier than expected, Mid-Missouri will proceed to implement E911 Phase II promptly and will so advise the Commission of its progress related to this matter via its required quarterly report. By the same token, as indicated in its originally-filed petition for waiver, whether and when ALI-capable handsets are available is

completely outside of Mid-Missouri's control. Therefore, if as Mid-Missouri's revised deadline approaches, Phase II-compliant handsets and necessary upgrades to cellular switching systems are still unavailable commercially, Mid-Missouri will so advise the Commission.

Additionally, Mid-Missouri has been unable to receive any estimates for the anticipated cost of the yet-unavailable ALI-capable handsets. The cost of ALI-capable handsets may vary anywhere from \$10.00 to \$200.00 more per telephone than that of currently utilized Mid-Missouri handsets. This handset cost uncertainty makes it difficult to project whether consumers will be willing to spend extra money to purchase a handset with ALI capability; whether Mid-Missouri will be able to absorb the cost difference without operating at a loss; and ultimately raises further questions related to Mid-Missouri's ability to meet the Commission's percentage thresholds for selling and activating ALI-capable handsets. If, once ALI-capable handsets are generally available, and the cost of those handsets becomes known, Mid-Missouri finds that it is unable to sell ALI-capable handsets in numbers which would meet the required penetration percentages, it reserves the right to request a further waiver of the Commission's rules at that time.

The foregoing, along with the information contained in the *September 20 Petition* satisfies both the general requirements to waive a Commission rule, as well as the more detailed standards contained in the Commission's E911 *Fourth Memorandum Opinion and Order*,³

³Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Fourth Memorandum Opinion and Order*, 15 FCC Rcd 17442, 17457 (2000) ("*E911 Fourth Memorandum Opinion and Order*").

and in the *October 19 Public Notice*. Accordingly, there is good cause to grant the limited waiver requested herein.

Respectfully submitted,

Missouri RSA No. 7 Limited Partnership
dba Mid-Missouri Cellular

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Dated: November 30, 2001

CERTIFICATE OF SERVICE

I, CAROL MINDZAK, a secretary with the law firm of Kurtis & Associates, P.C., do hereby certify that I have this 30th day of November 2001, had copies of the foregoing “AMENDMENT TO PETITION OF MISSOURI RSA NO. 7 LIMITED PARTNERSHIP dba MID-MISSOURI CELLULAR FOR LIMITED WAIVER OF SECTION 20.18(g) OF THE COMMISSION’S RULES” sent via first class mail, postage pre-paid to the following:

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/s/ Carol Mindzak

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